

REMARKS

After entry of the present Amendment, claims 1-10, 12-13, 15 and 19 remain pending in the subject application. Claims 11, 16-18 and 20-25 are cancelled in the present Amendment. Claim 14 was previously cancelled. Claim 12 is currently amended for purposes of proper claim dependency in view of the cancellation of claim 11, and now depends from claim 1. Claim 12 is also amended to recite that organosilane is a functionalised silane containing one or more functional groups, rather than one or more organic groups. Support for currently amended claim 12 can be found at least in paragraph [0058] of the subject application as published, i.e., U.S. Publ. Pat. Appln. No. 2007/0125998. Claim 19 is currently amended such that this claim is now written in independent form. Support for currently amended claim 19 can be found at least in original claim 19 and paragraph [0019] of the subject application as published. As such, no new matter is added via the present Amendment.

As a preliminary matter, the Applicants note the Examiner has indicated claims 1-13 and 15 as allowable. In addition, the Examiner indicated that claim 19 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicants thank the Examiner for the allowable claims. With respect to claim 19, the Applicants note that original claim 19 depended from claim 16, which depended from claim 1. Because claim 16, which was an intervening claim, included a Markush group reciting the species claimed in claim 19 (i.e., the organic resin), the Applicants have not incorporated the entirety of this intervening claim in currently amended

independent claim 19. However, the Applicants nonetheless submit that currently amended claim 19 is allowable because incorporating the Markush group of claim 16, i.e., the intervening claim, would frustrate the purpose of the Examiner's allowance of claim 19.

Claims 20-24 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 23-26 of copending Application No. 10/575,119. The Applicants note that the Examiner incorrectly cited the copending Application for this rejection because the cited copending Application is assigned to the Trustees of Boston University, and relates to a method for prenatal diagnosis of chromosomal abnormality. In addition, this defect not cured by the "list of references cited by examiner" because there is no copending Application listed. Notwithstanding, this rejection is moot in view of the cancellation of claims 20-24 via the present Amendment.

Claim 25 is rejected under 35 U.S.C. § 112, ¶ 2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection is also moot in view of the cancellation of claim 25 via the present Amendment.

Claims 16-18 and 20-25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by International Appln. Publ. No. WO 03/086029 to Goodwin et al. While Applicants make no concession as to the propriety of the Examiner's rejection of these claims, this rejection is moot in view of the cancellation of claims 16-18 and 20-25 via the present Amendment.

The Applicants respectfully submit that claims 1-10, 12-13, 15 and 19 are both novel and non-obvious, in view of the disclosure, teachings, and suggestions of the prior art. As such,

independent claim 1, as well as all of the claims that depend therefrom, are now all in condition for allowance, which allowance is respectfully requested.

If any additional fees are necessary to respond to the outstanding Office Action, you are hereby authorized to charge such fees to Deposit Account No. 08-2789 in the name of Howard & Howard Attorneys PLLC.

Respectfully submitted,

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